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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 DLJ MORTGAGE CAPITAL, INC. a foreign
16 corporation,

17 Plaintiff,

18 vs.

19 SFR INVESTMENTS POOL 1, LLC, a Nevada
20 Limited Liability Company; and LIBERTY AT
21 MAYFIELD COMMUNITY ASSOCIATION,
22 a Nevada Corporation; DOE INDIVIDUALS I-
23 X, inclusive, and ROE CORPORATIONS, XI-
24 XX, inclusive,

25 Defendants.

Case No.: 2:17-cv-02338-JCM-GWF

26 **STIPULATION AND ORDER TO**
27 **DISMISS SFR INVESTMENTS POOL 1,**
28 **LLC WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a) and LR IA 6-2, Plaintiff, DLJ Mortgage Capital, Inc. (“Plaintiff”) and Defendant, SFR Investments Pool 1, LLC (“SFR”) (collectively the “Parties”), by and through their respective undersigned counsel of record, hereby stipulate to and agree, as follows:

1. This action concerns title to real property commonly known as 4137 Brassy Boots Court, Las Vegas, Nevada 89129 (“Property”) following a homeowner’s association foreclosure sale conducted on September 16, 2013, with respect to the Property.
2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust recorded against the Property in the Official Records of Clark County, Nevada as

Instrument Number 20080501-0003576 (“Deed of Trust”), and in particular, whether the Deed of Trust continues to encumber the Property.

3. This Stipulation and Order is the result of a compromise resolution of this action and shall not constitute or be construed as an admission of the facts or legal conclusions at issue in this action, or an admission as to the validity of the allegations in future actions.
4. With respect to this dispute, the Parties have entered into a confidential settlement agreement pursuant to which Plaintiff shall record a reconveyance of the Deed of Trust in the real property records of Clark County, Nevada.
5. Plaintiff expressly reserves all rights and interests in the loan secured by the Deed of Trust, as well as its claims against Ellen Stephanie Chayra, including but not limited, any actions to seek a deficiency judgment.
6. The Parties have resolved all of their claims and disputes, and stipulate and agree to the dismissal of all claims among them with prejudice, with each party to bear its own costs and attorneys’ fees.

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1 7. The Parties further stipulate and agree that a copy of this Stipulation and Order may
2 be recorded with the Clark County Recorder.

3 **IT IS SO STIPULATED.**

4 DATED this 25th day of September, 2018.

DATED this 25th day of September, 2018.

5 WRIGHT FINLAY & ZAK, LLP

KIM GILBERT EBRON

6 /s/ Robert A. Riether, Esq.

/s/ Jacqueline A. Gilbert, Esq.

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14 *Capital, Inc.*

Attorney for Defendant, SFR Investments Pool 1,
LLC

15 Case No.: 2:17-cv-02338-JCM-GWF

16 **ORDER**

17 **IT IS SO ORDERED**

18 Dated: September 27, 2018
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21 _____
22 UNITED STATES DISTRICT JUDGE